

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</b>	Docket Number (Optional)  NUM 07.001
<div style="display: flex; justify-content: space-between;"><div>First Named Inventor: <u>Dinan, Mark Andrew</u></div><div>Art Unit: <u>2457</u></div></div> <div style="display: flex; justify-content: space-between;"><div>Application Number: <u>10/022,795</u></div><div>Examiner: <u>El Chanti, Hussein A.</u></div></div> <div>Filed: <u>December 20, 2001</u></div> <div style="margin-top: 10px;">Title: <div style="border: 1px solid black; padding: 5px; display: inline-block; width: 80%;">GRAPHICAL INTERACTIVE INTERFACE FOR IMMERSIVE ONLINE COMMUNITIES</div></div> <div style="margin-top: 10px;">Attention: Office of Petitions <b>Mail Stop Petition</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</div> <div style="text-align: center; margin-top: 20px;">NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</div> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <div style="margin-top: 20px;"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.</b> NOTE: A grantable petition requires the following items: <ul style="list-style-type: none"><li>(1) Petition fee.</li><li>(2) Reply and/or issue fee.</li><li>(3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and</li><li>(4) Adequate showing of the cause of unavoidable delay.</li></ul></div> <div style="margin-top: 10px;">1. Petition fee <div style="margin-left: 20px;"><input checked="" type="checkbox"/> Small entity – fee \$ <u>270</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</div><div style="margin-left: 20px;"><input type="checkbox"/> Other than small entity – fee \$ _____ (37 CFR 1.17(l)).</div></div> <div style="margin-top: 10px;">2. Reply and/or fee <div style="margin-left: 20px;">A The reply and/or fee to the above-noted Office action in the form of <u>payment for additional claim of \$25</u> (identify the type of reply): <div style="margin-left: 20px;"><input checked="" type="checkbox"/> has been filed previously on <u>September 30, 2008</u></div><div style="margin-left: 20px;"><input type="checkbox"/> is enclosed herewith.</div></div><div style="margin-left: 20px;">B The issue fee of \$ _____ <div style="margin-left: 20px;"><input type="checkbox"/> has been filed previously on _____</div><div style="margin-left: 20px;"><input type="checkbox"/> is enclosed herewith.</div></div></div>	

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

Michael A. Kerr

Typed or printed name

P.O. Box 22028

Address

Carson City, NV 89721

Address

October 6, 2009

Date

42,722

Registration Number, if applicable

775-841-3388

Telephone Number

- Enclosure ☐ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐ \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

October 6, 2009

Date



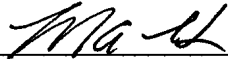
Signature

Marie Martin Kerr

Typed or printed name of person signing certificate

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NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

October 6, 2009

Date

Michael A. Kerr

Typed or printed name

42,722

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

The Examiner issued a Notice of Additional Fee due of \$25 for one excess claim on September 26, 2008. The Applicant paid this fee on September 30, 2008, well within the 30-day response period. This application entered abandonment on August 18, 2009 for purported failure to pay the additional claim fee of \$25. Abandonment by Applicant was unavoidable due to the mistake of the USPTO in failing to note that fees were paid.

Copies of all documents supporting Applicant's statements are available on Public PAIR.

Applicant respectfully requests that the USPTO withdraw the abandonment, and revive this patent application, refunding the petition fee of \$270.

(Please attach additional sheets if additional space is needed.)